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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION SIX

THE PEOPLE,

Plaintiff and Respondent,

v.

GERALD D. EMERY,

Defendant and Appellant.

2d Crim. No. B210715
(Super. Ct. No. KA081084)
(Los Angeles County)

Gerald D. Emery appeals from the judgment following a nolo contendere plea to carrying a dirk and dagger (Pen. Code, § 12020, subd. (a)(4))¹ and admission that he suffered a prior strike conviction within the meaning of the Three Strikes law (§§ 667, subds. (b) – (i); 1170.12, subds. (a) – (d)). Pursuant to the negotiated plea, the trial court sentenced appellant to four years state prison with 328 days presentence custody credit. Appellant was ordered to pay a \$200 restitution fine (§ 1202.4, subd. (b)), a \$200 parole revocation fine (§ 1202.45), and a \$20 court security fee (§ 1465.8).

We appointed counsel to represent appellant in this appeal. After counsel's examination of the record, she filed an opening brief in which no issues were raised.

¹ All statutory references are to the Penal Code.

On April 15, 2008, we advised appellant that he had 30 days within which to personally submit any contentions or issues he wished us to consider. We have received no response from appellant.

We have reviewed the record and are satisfied that appellant's attorney has fully complied with her responsibilities and that no arguable issues exist. (*People v. Wende* (1979) 25 Cal.3d 436, 443; *People v. Kelly* (2006) 40 Cal.4th 106, 125-126.)

The judgment is affirmed.

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YEGAN, J.

We concur:

GILBERT, P.J.

PERREN, J.

Wade Olson, Judge
Superior Court County of Los Angeles

Roberta Simon, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Respondent.